

REMARKS

Claims 1, 18-20, 22, 24-26, 28, and 31-41 are pending and have been examined. Claims 2-17, 21, 23, 27, 29, and 30 were previously cancelled. Claims 1, 18-20, 22, 24-26, and 31-41 are indicated to be allowable. Claim 28 is rejected under 35 U.S.C. § 112, first paragraph. Applicants address the rejection of claim 28 as follows.

Claim amendments

Claim 28 has been amended to recite “*wherein said patient has FVIII inhibitory antibodies that bind the C2 domain of FVIII.*” Support for this amendment is found in the specification as filed, for example, at page 10, line 9-13, of the WO 2004/014955 publication. Here the specification states:

The present invention also relates to a method of preventing or treating the bleeding in [a] patient, optionally a haemophilia patient, having inhibitory antibodies against the C2 domain of FVIII, the method comprising the step of administering to the patient an anti-idiotypic antibody, fragments, peptides or modified versions thereof. [Emphasis added.]

No new matter has been added by the present amendment. Applicants reserve the right to pursue any cancelled subject matter in this or in a continuing application.

Rejection under 35 U.S.C. § 112, first paragraph

Claim 28 is rejected under 35 U.S.C. § 112, first paragraph, for an asserted lack of enablement in the specification as filed. The Office states (page 3, section 5):

[T]he specification, while being enabling for a method of treating uncontrolled bleeding in a patient with FVIII inhibitory antibodies that bind the C2 domain of FVIII, does not reasonably provide enablement for methods of treatment for all patients comprising FVIII inhibitory antibodies generically.

Applicants submit that claim 28, as amended, is directed to the subject matter that the Office has indicated to be enabled by the specification as filed. In particular, claim 28 as

amended requires the patient to have FVIII inhibitory antibodies that bind the C2 domain of FVIII. The enablement rejection of claim 28 should be withdrawn.

Rejoinder

Applicants acknowledge the Office's rejoinder of claim 28, 31, 38 and 39, and the withdrawal of the Restriction Requirement mailed on May 24, 2007. Applicants note that currently there are no continuation or divisional applications of the present application pending.

CONCLUSION

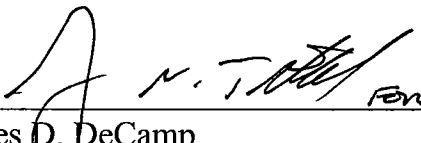
Applicants submit that the application is now in condition for allowance, and such action is hereby respectfully requested.

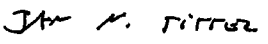
If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

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Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



James D. DeCamp
Reg. No. 43,580

John N. Ritter
Reg. No. 52,290